

**Serial No. 10/528,731**  
**Atty. Doc. No. 2002P15759WOUS**

**REMARKS**

Claims 12-22 remain in the application. All of the claims were rejected under Section 103 based on Mann (WO 99/06974) alone or in combination with Galiana '334 or Andersen '034. Claims 18 and 19 are amended herein to correct errors of an apparent nature and to more fully comply with Section 112.

Previously, the Examiner rejected independent claims 12 and 18 under Section 102 based on Mann and, in response, the applicant amended the claims to fully distinguish over this prior art. The applicants appreciate the withdrawal of the rejections under Section 102. The examiner has now based the rejections on Section 103. The examiner is respectfully requested to consider the following comments which clearly explain why claims 12 and 18 are not properly rejected under Section 103 based only on the Mann reference.

The Mann reference has been used to reject the claims because this reference discloses sensors "for detecting physiological responses ... [or to] collect real time body vital sign measurements ..." (page 3, lines 19-24). However, this is in relation to a robbery deterrent system 100. It is only in this context that a biosensor is disclosed by MANN, e.g., for "detecting physiological responses to emotions, such as fear." See page 3, lines 21-22. On the other hand, the scopes of independent claims 1 and 18 have never included such prior art embodiments.

To reject claim 12 under Section 103 the prior art must teach or suggest *every* element defined in the claim. Yet the examiner already acknowledges that the Mann reference is insufficient in this regard.

For example, the examiner notes, in rejecting claim 12, that the

"system of MANN does not specifically state to diagnose the operation condition of a component of a technical installation ..."

The examiner goes on to state that one of ordinary skill in the art

"would readily recognize that a vault, cash drawer or a similar objects are part of an installation such a bank or any similar establishments. In addition, one of ordinary skill in the art would also recognize that if the system recognizes that a person is under coercion from accessing a secured location or facility, an object, vault or drawer potentially being compromised [sic]. This is suggested by the Access control circuit (112), which allows access to the secured area, object or transaction."

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None of the foregoing can support the rejection. There can be no basis for rendering claim 12 obvious when the rejection does not provide the claimed combination. There is no teaching or suggestion for the combination of claim 12. Specifically, the method of claim 12 requires:

**“analyzing the reaction to diagnose operational condition of a component of the technical installation”**

MANN says **nothing** at all about “analyzing” and **nothing** at all about “diagnosing an operating condition.” So the claim cannot be rejected based on MANN alone.

In response to the examiner’s argument, it does not matter how broadly the examiner can read claim 12, and it does not matter how broadly the examiner can read the MANN reference, the MANN reference still will not and cannot suggest “analyzing” or “diagnosing an operating condition.” The claimed combination cannot even be reconstructed from the MANN reference with hindsight from the present invention.

As for independent claim 18, similar deficiencies exist. Claim 18 requires

**“an inspection tour [performed] by the human”**

and also requires

**“analyzing the reaction.”**

Neither of these features is even suggested by the prior art. The invention cannot even be reconstructed in hindsight because the claimed features are not present and, therefore, one cannot recreate the claimed combination.

For all of these reasons, the new rejections of the independent claims 12 and 18 based upon the Mann reference are improper and should be removed because they are not supported by the art.

The features defined in the dependent claims further distinguish over the prior art. The examiner’s application of Galeani or Andersen to reject the dependent claims does nothing to compensate for the above-noted deficiencies of the MANN reference. However, comment must be presented regarding the examiner’s conclusion that MANN discloses all of the limitations of claim 13. Since the examiner acknowledges that MANN does not disclose all elements of claim

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12, it cannot anticipate claim 13 which depends from claim 12. Even so, the examiner somehow concludes that MANN discloses all of the limitations of dependent claim 13.

For all of these reasons, reconsideration and withdrawal of the rejections is respectfully requested.

#### Conclusion

Based on the amendments presented and the distinctions discussed herein, all of the claims are believed to be patentable and the application is believed to be in condition for allowance. The Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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